

REMARKS

Claims 1-6 and 8-10 are amended. Claims 7 and 11 are canceled. Claims 1-6 and 8-10 are pending.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5). Proposed new Figs. 2 and 5 are enclosed with reference signs 208, 504, 508 and 512 removed. Entry of these drawings and withdrawal of the objection to the drawings is respectfully requested.

Specification

The Abstract of the Disclosure is objected to as including multiple paragraphs. A new Abstract of the Disclosure is enclosed and withdrawal of the objection is respectfully requested.

Rejections based on 35 U.S.C. §§102 and 103

Claims 1-5, 7 and 11 are rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent 6,070,190 to Reps et al. (“Reps”). Claims 8-10 are rejected as being unpatentable over Reps in view of U.S. Patent 6,044,398 to Marullo et al. (“Marullo”). Claim 6 is rejected as being unpatentable over Reps in view of U.S. Patent 6,442,585 to Dean et al. (“Dean”). Reconsideration of the application in light of the amendments above and remarks below is respectfully requested.

To facilitate prosecution on the merits, independent claims 7 and 11 are canceled.

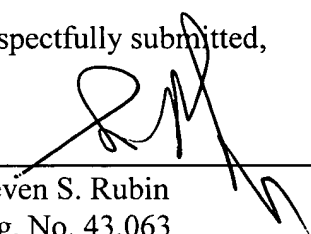
Reps does not show recording service level thresholds in a transaction data file at a first computer, forwarding the transaction data file to a second computer, and then executing a step in the transaction data file at the second computer to determine a level of service for a server – as is claimed in amended independent claim 1. Moreover, Reps does not show monitoring the availability of an information resource from the Internet – as is

also claimed in amended independent claim 1. Similarly, the Marullo and Dean references are not cited to show, and do not appear to show these limitations. Therefore, it is asserted that independent claim 1 is patentable over the art of record.

Claims 2-6 and 8-10 are dependent upon independent claim 1 and recite further limitations which, together with the limitations of claim 1, are neither disclosed nor suggested in the art of record. These claims are also believed to be in condition for allowance. Reconsideration of the rejection of claims 1-6 and 8-10 under 35 U.S.C. §§102 and 103 is respectfully requested in light of the amendments and remarks above.

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Respectfully submitted,



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